IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO.441 OF 2004
IN
PETITION NO.113 OF 2002

Mazhar Gafoor Lakha .... Appellant
Vs.
Mohanlal L. Talreja & Ors. .... Respondents

Ms M. Merchant i/b Shri Haresh Ganatra
for the Appellant.

Shri A.P. Kothari, Dy. Official Assignee
present.

CORAM: R.M.S. KHANDEPARKAR &
D.G. KARNIK, JJ.

DATED: JUNE 14, 2007

P.C:

Heard the learned Advocate for the appellant. Perused the affidavit and the annexures filed by the appellant. Heard the Dy. Official Assignee as well as perused the report submitted by him.

Considering the fact that the appellant has cleared all the dues of the HSBC and there being no claim made by any other creditor, the impugned order dated 16-3-2004 declaring the appellant as insolvent is hereby set aside. The appeal is accordingly allowed and stands disposed of.

(D.G.Karnik, J.) (R.M.S.Khandeparkar, J.)

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